

1 PILLSBURY WINTHROP SHAW PITTMAN LLP  
Philip S. Warden (State Bar No. 54752)  
2 50 Fremont Street  
San Francisco, CA 94105  
3 Telephone: (415) 983-1000  
Facsimile: (415) 983-1200  
4

PILLSBURY WINTHROP SHAW PITTMAN LLP  
5 Daveed A. Schwartz (State Bar No. 200046)  
400 Capitol Mall, Suite 1700  
6 Sacramento, CA 95814  
Telephone: (916) 329-4700  
7 Facsimile: (916) 441-3583

8 Attorneys for Defendant LOGITECH, INC.

9  
10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12

13 ARTHUR FULFORD, on behalf of himself  
and all others similarly situated,

14 Plaintiff,

15 v.

16 LOGITECH, INC., a California  
17 corporation, and DOES 1-100, inclusive,

18 Defendants.  
19

Case No. C 08-02041 MMC (JCS)

**STIPULATION AND ~~PROPOSED~~  
ORDER STAYING ACTION; VACATING  
HEARING**

20 Plaintiff ARTHUR FULFORD ("Plaintiff") and Defendant LOGITECH, INC. (hereinafter  
21 "Defendant") (collectively, the "Parties"), by and through their undersigned counsel, hereby  
22 notify the Court that on June 30, 2009, the Parties entered into a Memorandum of Understanding  
23 for the purpose of negotiating a proposed class action settlement agreement in the above-entitled  
24 action. Accordingly, pursuant to Northern District Civil Local Rule 6-2,<sup>1</sup> the Parties hereby

25  
26 <sup>1</sup> The following previous time modifications have occurred in this case: (1) June 19, 2009  
27 Revised Stipulation and Order extending Logitech's deadline for responding to Plaintiff's First Set  
28 of Requests for Production of Documents and First Set of Interrogatories; (2) May 30, 2008  
Stipulation and Order continuing Logitech's deadline for responding to the complaint; (3) June 19,  
2008 Stipulation and Order continuing Logitech's deadline for responding to the complaint and  
continuing Case Management Conference; (4) July 3, 2008 Stipulation and Order continuing

1 request that the Court immediately toll all deadlines and proceedings in this action until the earlier  
2 of the following events:

3 1. The Parties and their counsel successfully negotiate and completely execute a  
4 proposed class action settlement agreement that they jointly submit to the Court for its  
5 preliminary and final approval; or

6 2. One of the Parties informs the other in writing that their efforts to settle this action  
7 have failed.

8 The Parties agree that if they should fail to successfully negotiate and completely execute  
9 a proposed class action settlement agreement that they agree to jointly submit to the Court for its  
10 preliminary and final approval, they shall immediately notify the Court that their settlement  
11 efforts were unsuccessful and they shall immediately resume litigating this action according to a  
12 schedule established by the Court and in accordance with the Federal Rules of Civil Procedure.

13 There is good cause for the Court to stay all proceedings in this matter as requested herein.  
14 This litigation is likely to be concluded in a just and expeditious manner if the Parties are successful  
15 in their efforts to negotiate a proposed class actions settlement. Additionally, regardless of the  
16 outcome of the settlement negotiations, an immediate stay of all proceedings to enable Parties to  
17 attempt to negotiate a proposed class action settlement agreement will have no negative effect on  
18 the Court's ability to effectively and efficiently manage this action.

19 Accordingly, the Parties request that the Court schedule a case status conference for Friday,  
20 September 4, 2009. The Parties presently intend that in advance thereof, they will endeavor to  
21 jointly move for preliminary approval of a proposed class action settlement agreement. In the event  
22 they so move, they will simultaneously request that the Court treat the case status conference as a  
23 preliminary approval hearing.

24 Logitech's deadline for responding to the complaint and continuing Case Management Conference;  
25 5) September 8, 2008 Order continuing case management conference and hearing on Logitech's  
26 motion to dismiss; (6) November 24, 2008 Stipulation and Order continuing case management  
27 conference; (7) December 10, 2008 Stipulation and Order extending Plaintiff's deadline to file a  
28 second amended complaint; (8) January 22, 2009 Stipulation and Order extending Logitech's  
deadline to file its response to Plaintiff's Second Amended Complaint; and (9) January 28, 2009  
Order granting Logitech's "Motion for Administrative Relief to Continue Case Management  
Conference and Related Deadlines" and extending the date for the case management conference.

Nothing herein shall serve as a waiver of any party's claims or defenses in this matter.

**IT IS SO STIPULATED:**

Dated: July 7, 2009

LIEFF, CABRASER, HEIMANN & BERNSTEIN, LLP

By: /s/ Kristen E. Law  
Kristen E. Law

Jonathan D. Selbin  
Kristen E. Law  
275 Battery Street, 30th Floor  
San Francisco, CA 94111-3339  
Telephone: (415) 956-1000  
Facsimile: (415) 956-1008

David P. Meyer  
Matthew R. Wilson  
DAVID P. MEYER & ASSOCIATES CO., LPA  
1320 Dublin Road, Suite 100  
Columbus, Ohio 43215  
Telephone: (614) 224-6000  
Facsimile: (614) 224-6066

Attorneys for Plaintiff and the Proposed Class

Dated: July 7, 2009

PILLSBURY WINTHROP SHAW PITTMAN LLP

By: /s/ Philip S. Warden  
Philip S. Warden

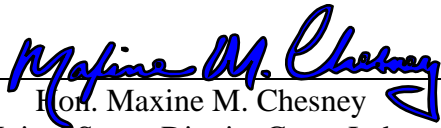
Philip S. Warden (State Bar No. 54752)  
50 Fremont Street  
San Francisco, CA 94105  
Telephone: (415) 983-1000  
Facsimile: (415) 983-1200

Daveed A. Schwartz (State Bar No. 200046)  
400 Capitol Mall, Suite 1700  
Sacramento, CA 95814  
Telephone: (916) 329-4700  
Facsimile: (916) 441-3583

Attorneys for Defendant LOGITECH, INC.

**PURSUANT TO STIPULATION, IT IS SO ORDERED.** Additionally, in light of the stipulation, the July 10, 2009 hearing on defendant's motion to amend is hereby VACATED, and said motion is hereby deemed withdrawn subject to renote.

Dated: July 7, 2009

  
Hon. Maxine M. Chesney  
United States District Court Judge